

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

1) BOBBY T. BRYANT,

Plaintiff,

v.

1) THE STANDARD FIRE INSURANCE  
COMPANY,

Defendant.

Case No. 13-CV-225-KEW

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1441 & 1446(a) and LCvR 81.2, Defendant The Standard Fire Insurance Company (hereinafter "Defendant"), hereby gives notice of the removal of the above-captioned action from the District Court of Wagoner County, Oklahoma to this Court. In support of this Notice of Removal, the Defendant states as follows:

1. On April 12, 2013, Plaintiff Bobby Bryant filed a Petition in the District Court of Oklahoma County, Oklahoma against the Defendant The Standard Fire Insurance Company. Plaintiff is a citizen of the State of Oklahoma. Defendant is a foreign corporation doing business in the State of Oklahoma. On its face, Plaintiffs Petition sought actual damages in excess of \$75,000 and additional punitive damages in excess of the amount required for diversity jurisdiction pursuant to 28 U.S.C. §1332. Plaintiffs Petition does not request a jury trial.

2. Defendant was served with the Summons and Petition on May 6, 2013.

3. Defendant hereby serves Notice of Removal of this action pursuant 28 U.S.C. § 1446(b). This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1332 because Plaintiff and Defendant are citizens of different states and the amount in controversy exceeds \$75,000.00.

4. A copy of the docket sheet, all process, pleadings, papers, and orders served in the State Court action are attached to this Notice of Removal as Exhibits 1, 2, 3, and 4, as required by 28 U.S.C. § 1446(a) and LCvR 81.2.

5. Defendant has filed a copy of this Notice of Removal with the District Court for Wagoner County, as required by 28 U.S.C. § 1446(d) and LCvR 81.2. A copy of the Notice to be filed in the Oklahoma State Court is attached hereto as Exhibit 5.

WHEREFORE, Defendant hereby removes the above-captioned action now pending in the District Court of Wagoner County, Oklahoma to this Court.

DATED this 21<sup>st</sup> day of May, 2013.

Respectfully submitted,

**TAYLOR, BURRAGE, FOSTER, MALLETT, DOWNS,  
RAMSEY & RUSSELL, A Professional Corporation**

*/s/ Darrell W. Downs, OBA #12272*

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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

☒ I hereby certify that on the 21<sup>st</sup> day of May, 2013, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Tod S. Mercer, OBA #14157  
Wesley J. Cherry, OBA #22851  
The Mercer Law Firm, P.C.  
500 Choctaw Avenue  
McAlester, Oklahoma 74501  
*Attorneys for Plaintiff*

☐ I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, I served the attached document by U.S. Mail, postage prepaid, on the following, who are not registered participants of the ECF System:

/s/ Darrell W. Downs, OBA #12272